IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 26480 of 1996

Between:
K.Srinivas S/o. Kasinatham
H.No.3-708/19/D ,Reddy Colony Kumarpally, Hanmakonda , Warangal Town
& Dist.

..... PETITIONER

AND

1 The High Court of A.P Rep by its Registrar (Management) Hyderabad.
2 The Dist & Session Judge Warangal at Subedari , Hanmakonda Warangal Town & Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to May be pleased to issue a writ, direction or order more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in not appointing the petitioner as Junior Asst or in any other equivalent posts as arbitrary, illegal, and unconstitutional and pass such other order or orders.

For the Petitioner: MR.B.NARAYANA REDDY

For the Respondents: SMT.M.BHASKARA LAKSHMI, Standing Counsel for High Court.

The Court Made the Following :

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ORAL ORDER(per the Hon'ble The Chief Justice)

Father of the petitioner while working as Sheristhadar in the Court of the Chief Judicial Magistrate–cum–Additional District and Sessions Judge, Warangal retired from service on 3.5.1995 on medical invalidation grounds. Petitioner being his son, applied for compassionate appointment. He was appointed as Process Server, but he declined to accept the same and so his appointment was cancelled. The grievance of the petitioner is that he ought to have been given appointment as Junior Assistant.

As per the guidelines formulated by the High Court for selection of staff, there is no provision to consider the application of the petitioner under compassionate appointment and he does not come under 'A', 'B' and 'C' lists prepared for selection of staff. Therefore, the petitioner was not appointed as Junior Assistant nor can the petitioner as of today be appointed as a Junior Assistant since no such appointment on administrative grounds can be granted when a person retires from service. The petitioner was not entitled to be given the post of Junior Assistant on compassionate grounds. Thus the action of the respondent cannot be faulted with.

Accordingly, the writ petition is dismissed. No costs.

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DEVINDER GUPTA, C. J.

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22nd day of June, 2004. G. ROHINI, J.

kvsn/TVR

To

1 The Registrar (Management), High Court of A.P.
Hyderabad.

2 The Dist & Session Judge
Warangal at Subedari , Hanmakonda Warangal Town & Dist.

3. Two C.D. Copies.